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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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123531

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25944 7590 08/26/2009
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EXAMINER

JOLLEY, KIRSTEN

ART UNIT

PAPER NUMBER

1792

MAIL DATE

DELIVERY MODE

08/26/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

ADVISORY ACTION

1. The proposed amendments will not be entered because they raise new issues that would require further consideration and/or search, and because they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal. Specifically, the proposed amendments would add another issue for appeal, and would require further consideration and/or search because the proposed amendments requiring that the coating material is delivered by a nozzle and the elastic body has a thickness of 1-5 mm and a width of 1-10 mm have not been previously considered, particularly in combination with the remainder of the dependent claims.
2. With respect to the proposed amendments, Applicant argues that the feature of a thickness of 1-5 mm and a width of 1-10 mm are "critical" and that the applied references do not recognize the criticality of the thickness and width of the elastic body, so criticality of the thickness and width of the elastic body rebut that the claimed thickness and width of the elastic body is obvious. Applicant further states that none of the applied references recognize that thickness and width of the elastic body affects the total area of the partial uncoating portion and the peeling portion. The Examiner disagrees. First, the Examiner notes that the proposed amendments have not been entered and thus would require further consideration. Additionally, it is noted that Gane teaches in col. 3, lines 11-35 that "The flexible blade employed in the apparatus and method of the present invention should be constructed and mounted so that when it is in contact with a web of cellulosic material its free edge flexes sufficiently to be substantially tangential to the web at the point of contact." Also Gane teaches "the flexible blade

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should be mounted in a manner such that it applies enough pressure to limit the weight of wet paper coating composition which is allowed to pass beneath the flexible blade." Thus it would have been obvious to one skilled in the art that if the flexible blade is too thin it would be too flimsy to supply sufficient pressure to the coating composition, however if the blade is too thick then it would not be flexible enough to flex sufficiently. Similarly, one skilled in the art would have recognized that if the width is too low then it will not be long enough to flex so as to be substantially tangential to the web, or if the width is too long then it may not result in a smooth coating surface or it may result in too much pressure or thinning of the applied coating material. Thus it is the Examiner's position that one having ordinary skill in the art would have recognized from Gane that the optimum width and thickness of a flexible blade would be determined through routine experimentation to result in the proper amount of flex and placement and pressure with respect to the applied coating material.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kirsten C. Jolley whose telephone number is 571-272-1421. The examiner can normally be reached on Monday to Tuesday and Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on 571-272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kirsten C Jolley/
Primary Examiner, Art Unit 1792

kcj